

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

---

UNIVERSAL CIPHER, LLC,	}	Case No. 2:19-cv-00164-JRG
Plaintiff,	)	JURY TRIAL DEMANDED
v.	)	
WALMART INC.	)	
Defendant.	)	

---

**JOINT STIPULATED MOTION TO EXTEND TIME TO ANSWER  
COMPLAINT**

Plaintiff Universal Cipher, LLC (“Universal Cipher”) and Defendant Walmart Inc. (“Walmart”) collectively the “Parties,” file this joint stipulated motion to extend time to file a responsive pleading and agree and stipulate as follows:

Universal Cipher filed its complaint on May 7, 2019 and served its complaint upon Walmart on May 9, 2019, making Walmart’s response due May 30, 2019. Counsel for the parties conferred and filed on May 29, 2019 its first stipulation for Walmart to respond to the Complaint by July 1, 2019 [Dkt 004]. Counsel for the parties further conferred and filed on June 26, 2019 a second extension of time for Walmart to respond to the Complaint on or before July 16, 2019 [Dkt 005].

Counsel for the parties have further conferred and now respectfully request the Court grant this third 45-day extension of time for Walmart to respond to the Complaint on or before August 30, 2019. The relief is sought to allow the parties to actively engage in settlement discussions. The parties agree that such discussions have been productive and continued discussions may result in settlement for the matter.

The Parties agree to this motion and the proposed extension is not sought for the

purpose of delay. In addition, no pre-trial deadlines have been set in this matter and should not be affected by the requested extension. Plaintiff does not oppose this motion. A proposed order is attached for the Court's convenience.

Dated: July 16, 2019

Respectfully submitted,

By: /s/ Bijal V. Vakil  
Bijal V. Vakil  
CA State Bar No. 192878  
(Admitted to practice in E.D. Texas)  
**WHITE & CASE LLP**  
3000 El Camino Real  
5 Palo Alto Square 9th Floor  
Palo Alto, CA 94306  
Telephone: (650) 213-0300  
Facsimile: (650) 213-8158  
Email: [bvakil@whitecase.com](mailto:bvakil@whitecase.com)

Attorney for Defendant  
Walmart Inc.

By: /s/ Jay Johnson  
Jay Johnson TX SB #24067322  
Kizzia Jhnson PLLC  
1910 Pacific Ave., Suite 13000  
Dallas, TX 75201  
Telephone: (214) 451-0164  
Facsimile: (214) 451-0165  
[jay@kjpllc.com](mailto:jay@kjpllc.com)

Attorney for Plaintiff  
Universal Cipher, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served on July 16, 2019, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served by First Class U.S. Mail on this same date.

*/s/ Bijal V. Vakil*  
Bijal V. Vakil

**CERTIFICATE OF CONFERENCE**

The undersigned certifies that counsel for Plaintiff conferred with counsel for Defendants on July 16, 2019. Plaintiff does not oppose this motion. Counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and the motion is agreed to by the parties.

*/s/ Bijal V. Vakil*  
Bijal V. Vakil